

BILL NO. G-89-11-26 (AS AMENDED) (AS AMENDED)

GENERAL ORDINANCE NO. G-LOST

AN ORDINANCE OF THE COMMON COUNCIL OF  
THE CITY OF FORT WAYNE, INDIANA ESTABLISHING  
AS PUBLIC POLICY, THE PAYMENT OF  
PREVALILING SCALE OF WAGES

WHEREAS, it is the policy of the City of Fort Wayne, Indiana to protect and to promote the economic beneficial development of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, IN THAT IT ESTABLISHES AS POLICY THE PAYMENT OF THE PREVAILING SCALE OF WAGES AS FOLLOWS:

SECTION 1. PREVAILING SCALE OF WAGES.

Any firm, individual, partnership or corporation which is hereafter given approval by the Common Council for projects to be funded or benefitted totally or in part by: industrial revenue bonds, economic revitalization designation (tax abatement), urban development action grants, or any future economic development incentive; and/or any contractor or subcontractor utilized to do construction work on said projects, which shall in no case be less the prevailing scale of wages for each class of work, but only for those classes of work whose prevailing wage is determined by the quarterly schedule of prevailing wages in the City of Fort Wayne, established by the Wage and Hour Division of the Indiana Department of Labor.

SECTION 2. FILING SCHEDULE OF WAGES.

Any firm, partnership or corporation, and/or any contractors or subcontractors utilized to do construction work on such projects shall file with the Contract Compliance Administrator of the Community and Economic Development Department of the City of Fort Wayne a schedule of wages to be paid to all laborers, workmen or mechanics. However, such schedule shall be filed before any work is performed on such projects; provided that such scale shall be not less than the schedule of prevailing wages determined in Section 1. of this Ordinance.

Nothing in this ordinance shall prevent any firm, individual, partnership or corporation, and/or any contractor or subcontractor from paying a higher rate of wages than set out in the schedule of wages filed by it.

SECTION 3. VIOLATIONS; PENALTIES.

Any firm, individual or partnership who knowingly or willfully fails to pay the rate of wages determined under this chapter shall be fined not less than Five Hundred Dollars (\$500.00) for each violation for each day that the violation is permitted to continue. Any firm, individual or partnership that is determined to have committed more than two (2) violations of this chapter in any calendar year shall be prohibited from submitting any bid for any public work required by the City of Fort Wayne for a period of one hundred eighty (180) days from the date of the second violation in that year.

SECTION 4. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent



jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5.

That upon the passage of this ordinance and approval by the Mayor, a committee be appointed by Council consisting of representatives of the Chamber of Commerce, Trade Unions and Developers to monitor the working of this ordinance and report to Common Council within one year as to the conclusion of this committee. Unless the Common Council affirmatively votes upon receipt of said report to continue this ordinance, it shall no longer enforce and effect.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor and its legal publication thereof.

Janet G. Bradbury  
Councilmember

1986

Company Name	Wage Average
Town Center	5.50
Renaissance Square	7.69
Envirotemp Square	6.75
Donald-Leuasseur	11.05
Allen Pattern Works	17.50
Ward Pattern Engineering	17.50
ITT/Optical Division	7.59
C-P Development	9.62
Home Guard	6.00
Miller Stamping & Tool	11.00
James Nusbaum	7.00
Precision Laser Services	4.00
Summit City Electric	<u>7.50</u>
	121.29/13
	9.33 Hourly
	19,406.40 Yearly



1986

Company Names	Jobs, Time of App.	Proposed Jobs	Actual Jobs 1989	+/-
Town Center	0/New Co.	5	2	2
Renaissance Square	0	50*	5	5
Envirotemp Corp.	3	3	3/1 pt.	3
Donald-Leuasseur	22	6	60/5 pt.	38
Allen Pattern Works	10	10	23	13
Ward Pattern Eng.	85	50	65	-25
ITT/Optical Div.	1,217	400	2475/25 pt.	1,258
C-P Development	10	50	24/3 pt.	14
Home Guard	15	5	36	21
Miller Stamping and Tool	21	8	52/1 pt.	31
James Nusbaum	18	6	12	-6
Precision Laser	4	5	9	5
Summit City Elec.	<u>8</u>	<u>4</u>	<u>15/3 pt.</u>	<u>7</u>
	1,413	602	2,781	1,366

\*Proposed jobs were construction jobs, not full time permanent jobs.

1987

Company Name	Wage Average
KSJ Enterprises	9.62
Classic Products Corp.	4.65
Cadillac Coffee	7.35
Fasson Roll	13.22
Ottenweller Co., Inc.	9.12
Power Wheels	7.60
Roehm Marine	6.25
Bowmar	12.70
The Sign Shoppe	6.00
Van Dyne Crotty	4.70
A&L Great Lakes Agr. Labs	9.62
Schenkel Corp.	11.00
Keefer Printing	15.00
Deister Machine	10.00
Power Train	<u>12.02</u>
	138.85/15
	9.26 Hourly
	19,260.80 Yearly



1987

Company Name	Jobs, Time of App.	Proposed Jobs	Actual Jobs 1989	+/-
KSJ Enterprises	0	40	26	26
Classic Products	18	5	30	12
Cadillac Coffee	3	31	35	32
Fasson Roll	105	30	153	48
Ottenweller Co.	40	10	39/8 pt.	-1
Power Wheels	350	20	600	250
Roehm Marine	17	18	22/3 pt.	5
Bowmar	236	12	235/10 pt.	-1
The Sign Shoppe	3	6	1/3 pt.	-2
Van Dyne Crotty	27	6	48	21
A&L Great Lakes	29	8	32	3
Schenkel Corp.	20	5	23	3
Keefer Printing	18	8	23	5
Deister Machines	80	25	120	40
Power Train Svc.	<u>0/New Co.</u>	<u>33</u>	<u>30</u>	<u>30</u>
	946	257	1,417	471

1988

Company Name	Wage Average
Empire Refactory Sales	8.50
Stalker Corp./Perego	6.25
Precise Tooling	8.00
Edy's Ice Cream	9.40
Pyromation, Inc.	8.50
MSKTD	15.77
Kunkle Valve	10.50
Koorsen Protection	10.00
K.T. Industries	9.72
Midwest Custom	6.00
Food Marketing	<u>14.00</u>
	80.37/10
	8.04 Hourly
	16,723.20 Yearly

\*\* Overall range of hourly wage (\$4.00 to \$17.50).

1988

Company Name	Jobs, Time of App.	Proposed Jobs	Actual Jobs 1989	+/-
Empire Refactory	12	11	14	2
Stalker/Perego	45	75	107	62
Precise Tooling	2	1	1	1
Edy's Ice Cream	65	34	99	34
Pyromation, Inc.	55	21	61	6
MSKTD	48	10	42	-6
Kunkle Valve	126	60	220	94
Koorsen Protection	8	4	6	-2
K.T. Industries	6	80	55	27
Midwest Custom	6	33	11/1 pt.	5
Food Marketing	<u>96</u>	<u>14</u>	<u>106</u>	<u>10</u>
	491	343	1,416	231



AN ORDINANCE OF THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA ESTABLISHING  
AS PUBLIC POLICY, THE PAYMENT OF  
PREVAILING SCALE OF WAGES.

WHEREAS, it is the policy of the City of Fort Wayne,  
Indiana to protect and to promote the economic beneficial  
development of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
THE CITY OF FORT WAYNE, IN THAT IT ESTABLISHES AS POLICY THE  
PAYMENT OF THE PREVAILING SCALE OF WAGES AS FOLLOWS:

SECTION 1. PREVAILING SCALE OF WAGES.

Any firm, individual, partnership or corporation which is  
hereafter given approval by the Common Council for projects  
to be funded or benefitted totally or in part by: industrial  
revenue bonds, economic revitalization designation (tax  
abatement), urban development action grants, or any future  
economic development incentive; and/or any contractor or  
subcontractor utilized to do construction work on said  
projects, shall be required to pay for each class of work on  
such project a scale of wages which shall in no case be less  
the prevailing scale of wages for each class of work as  
determined by the quarterly schedule of prevailing wages in  
the City of Fort Wayne, established by the Wage and Hour  
Division of the Indiana Department of Labor.

SECTION 2. FILING SCHEDULE OF WAGES.

Any firm, partnership or corporation, and/or any contractors  
or subcontractors utilized to do construction work on such  
projects shall file with the Contract Compliance  
Administrator of the Community and Economic Development  
Department of the City of Fort Wayne a schedule of wages to  
be paid to all laborers, workmen or mechanics. However, such  
schedule shall be filed before any work is performed on such  
projects; provided that such scale shall be not less than the  
schedule of prevailing wages determined in Section 1. of this  
Ordinance.

Nothing in this ordinance shall prevent any firm, individual,  
partnership or corporation, and/or any contractor or  
subcontractor from paying a higher rate of wages than set out  
in the schedule of wages filed by it.

SECTION 3. VIOLATIONS; PENALTIES. *deleted*

Any firm, individual or partnership who knowingly or  
willfully fails to pay the rate of wages determined under  
this chapter ~~commits a Class B misdemeanor~~ and shall be fined  
not less than Five Hundred Dollars (\$500.00) for each  
violation for each day that the violation is permitted to  
continue. Any firm, individual or partnership that is  
determined to have committed more than two (2) violations of  
this chapter in any calendar year shall be prohibited from  
submitting any bid for any public work required by the City  
of Fort Wayne for a period of one hundred eighty (180) days  
from the date of the second violation in that year.



1  
2 SECTION 4. SEVERABILITY.

3 If any section, subsection, sentence, clause or phrase of  
4 this Ordinance is for any reason held to be invalid or  
5 unconstitutional by the decision of any court of competent  
6 jurisdiction, such decision shall not affect the validity of  
7 the remaining portions of this Ordinance.

8 SECTION 5. This Ordinance shall be in full force and  
9 effect from and after its passage and any and all necessary  
10 approval by the Mayor and its legal publication thereof.

11  
12 *Janet D. Bradbury*  
13 COUNCILMEMBER

14 APPROVED AS TO FORM  
15 AND LEGALITY.

16  
17 Stanley A. Levine  
18 Legal Advisor to  
19 Fort Wayne Common Council

20 *Intent: If passed:*

21 { Committee formed, City C. trade union,  
22 & dev. to monitor the ordinance &  
23 Come to Council with a report in 1 yr. }

24 Sect. 4 (a)

25 *Stan has language*



Read the first time in full and on motion by Bradbury,  
seconded by Talarico, and duly adopted, read the second time by  
title and referred to the Committee on Regulators (and the  
City Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Conference Room 128, City County Building,  
Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_, day  
of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 11-14-89

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury,  
seconded by Talarico, and duly adopted, placed on its  
passage. ~~Passed~~ LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>3</u>	<u>5</u>	<u>1</u>	
x BRADBURY	<u>✓</u>			
BURNS		<u>✓</u>		
EDMONDS	<u>✓</u>			
GiaQUINTA		<u>✓</u>		
HENRY			<u>✓</u>	
LONG		<u>✓</u>		
x REDD	<u>✓</u>			
SCHMIDT		<u>✓</u>		
TALARICO		<u>✓</u>		

DATED: 12-12-89

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. \_\_\_\_\_

on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,

ATTEST

SEAL

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



BILL NO. G-89-11-26

*Hold for  
Dec 5*

REPORT OF THE COMMITTEE ON REGULATIONS

*Committee & the whole  
As amended  
As amended*

JANET G. BRADBURY, CHAIRPERSON  
DAVID C. LONG, VICE CHAIRMAN  
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) OF THE COMMON COUNCIL  
OF THE CITY OF FORT WAYNE, INDIANA ESTABLISHING AS PUBLIC  
POLICY, THE PAYMENT OF PREVAILING SCALE OF WAGES

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

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*Janet G. Bradbury  
Mark E. Talarico  
David C. Long  
Edmonds  
Schmidt  
Benson  
Long  
Sam Talarico  
David Long*

DATED: *12-12-89.*

Sandra E. Kennedy  
City Clerk